

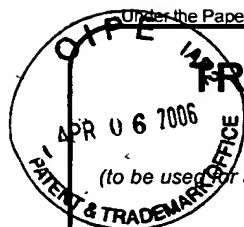
04-07-06

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/825,088
Filing Date	April 15, 2004
First Named Inventor	David Sperduti
Group Art Unit	3627
Examiner Name	Andrew J. Rudy
Attorney Docket Number	283-412

Total Number of Pages in This Submission

7

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO/SB/08A (2 pgs.), PTO/SB/08B (1 pg.), One Copy of Cited References BR-BX and Return Mail Room Postcard.
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account No. 50-0289.
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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Wall Marjama & Bilinski LLP	Reg. No. 42,897
Signature	<i>Joseph B. Milstein</i>	
Date	April 6, 2006	

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Typed or printed name	Jeannine C. Schirripa	
Signature	<i>Jeannine C. Schirripa</i>	Date April 6, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
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Attorney Docket No.: 283-412

On April 6, 2006

WALL MARJAMA & BILINSKI LLP

By: Jeanine C. Schirripa  
Jeanine C. Schirripa



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

David Sperduti et al.

Application No.: 10/825,088

Filed: April 15, 2004

For: Proximity Transaction Apparatus  
And Methods of Use Thereof

Examiner: Andrew J. Rudy

Art Unit: 3627

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

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Sir:

The references cited on attached forms PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of references BR-BX are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(h), no inference should be made that the information and references cited are material to patentability. Also, no inference should be made that a

reference is prior art merely because it is included in this statement. Under 37 CFR §1.97(g), the submission of an information disclosure statement should not be considered as representation that a search has been made.

"In column T6 of the attached PTO 1449 form, "EN" is entered where the cited reference is in the English language, "AO" is entered where the reference is not in English but a translation of the Abstract only is included, and "FT" is entered where the reference is not in English but a full text English translation is included."

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP



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Date: April 6, 2006

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 2

### Complete if Known

Application Number	10/825,088
Filing Date	April 15, 2004
First Named Inventor	David Sperduti
Art Unit	3627
Examiner Name	Andrew J. Rudy
Attorney Docket Number	283-412

### U.S. PATENT DOCUMENTS

Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-2004/010446 A1	01-15-2004	Vanska et al.	
	AB	US-2004/049451 A1	03-11-2004	Berardi et al.	
	AC	US-2004/103060 A1	05-27-2004	Foth et al.	
	AD	US-2004/118930 A1	06-24-2004	Berardi et al.	
	AE	US-6,771,981	08-03-2004	Zalewski et al.	
	AF	US-2004/230488 A1	11-18-2004	Beenau et al.	
	AG	US-2004/232220 A1	11-25-2004	Beenau et al.	
	AH	US-2004/232221 A1	11-25-2004	Beenau et al.	
	AI	US-2004/232222 A1	11-25-2004	Beenau et al.	
	AJ	US-2004/232223 A1	11-25-2004	Beenau et al.	
	AK	US-2004/232224 A1	11-25-2004	Beenau et al.	
	AL	US-2004/236699 A1	11-25-2004	Beenau et al.	
	AM	US-2004/236700 A1	11-25-2004	Beenau et al.	
	AN	US-2004/236701 A1	11-25-2004	Beenau et al.	
	AO	US-2004/233037 A1	11-25-2004	Beenau et al.	
	AP	US-2004/233038 A1	11-25-2004	Beenau et al.	
	AQ	US-2004/233039 A1	11-25-2004	Beenau et al.	
	AR	US-2004/238621 A1	12-02-2004	Beenau et al.	
	AS	US-2004/239480 A1	12-02-2004	Beenau et al.	
	AT	US-2004/239481 A1	12-02-2004	Beenau et al.	
	AU	US-2004/252012 A1	12-16-2004	Beenau et al.	
	AV	US-2004/257197 A1	12-23-2004	Beenau et al.	
	AW	US-2004/260646 A1	12-23-2004	Berardi et al.	
	AX	US-2004/256469 A1	12-23-2004	Faenza et al.	
	AY	US-2005/004866 A1	01-06-2005	Bonalle et al.	
	AZ	US-2005/023359 A1	02-03-2005	Saunders	
	BA	US-2005/033619 A1	02-10-2005	Barnes et al.	
	BB	US-2005/033686 A1	02-10-2005	Peart et al.	
	BC	US-2005/033687 A1	02-10-2005	Beenau et al.	
	BD	US-2005/033688 A1	02-10-2005	Peart et al.	
	BE	US-2005/033689 A1	02-10-2005	Bonalle et al.	
	BF	US-2005/035847 A1	02-17-2005	Bonalle et al.	
	BG	US-2005/038741 A1	02-17-2005	Bonalle et al.	
	BH	US-2005/040951 A1	02-24-2005	Zalewski et al.	
	BI	US-2005/040242 A1	02-24-2005	Beenau et al.	
	BJ	US-2005/060233 A1	03-17-2005	Bonalle et al.	

Examiner  
Signature

Date  
Considered

<sup>1</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet 2 of 2

**Complete if Known**

Application Number	10/825,088
Filing Date	April 15, 2004
First Named Inventor	David Sperduti
Art Unit	3627
Examiner Name	Andrew J. Rudy
Attorney Docket Number	283-412

**U.S. PATENT DOCUMENTS**

Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	BK	US-2005/071231 A1	03-31-2005	Beenau et al.	
	BL	US-2005/085226 A1	04-21-2005	Zalewski et al.	
	BM	US-2005/116810 A1	06-02-2005	Beenau et al.	
	BN	US-2005/116024 A1	06-02-2005	Beenau et al.	
	BO	US-2005/149544 A1	07-07-2005	Bishop et al.	
	BP	US-2005/160003 A1	07-21-2005	Berardi et al.	
	BQ	US-2005/165695 A1	07-28-2005	Berardi et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	BR	WO	02/97568	A2	12-05-2002	TC (Bermuda) License, Ltd.		EN
	BS	WO	2004006064	A2	01-15-2004	American Express Travel Related Services Company, Inc.		EN
	BT	WO	2004006590	A2	01-15-2004	American Express Travel Related Services Company, Inc.		EN
	BU	WO	2004006162	A2	01-15-2004	American Express Travel Related Services Company, Inc.		EN
	BV	EP	1 424 664	A2	06-02-2004	Pitney Bowes Inc.		EN
	BW	JP	2005520269	T	07-07-2005	American Express Travel Related Services Company, Inc.		FT

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet	1	of	1
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**Complete if Known**

Application Number	10/825,088
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<b>Filing Date</b>	April 15, 2004
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First Named Inventor	David Sperduti
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Art Unit	3627
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Examiner Name	Andrew J. Rudy
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Attorney Docket Number	283-412
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#### OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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